

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES:
CASES IDENTIFIED IN EXHIBIT A

**PLAINTIFFS' MOTION TO LIMIT THE OPINIONS AND TESTIMONY
OF JAIME L. SEPULVEDA-TORO, M.D.**

Plaintiffs in actions listed on attached Exhibit A, pursuant to Federal Rule of Evidence 702, 403, 104 and *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), hereby submit this Motion to Limit the Opinions and Testimony of Jaime L. Sepulveda-Toro, M.D. Defendant Ethicon has designated Dr. Sepulveda-Toro, an obstetrician-gynecologist with little to no clinical experience, to offer clinical medical opinions regarding pelvic organ prolapse (POP) and stress urinary incontinence (SUI). The Court should exclude certain opinions of Dr. Sepulveda-Toro because he attempts to opine on subjects well outside his expertise. In support of this motion, Plaintiffs have submitted a memorandum of law and also rely upon the following attached exhibits:

1. A true copy of the Expert Report of Jaime L. Sepulveda-Toro, M.D. Gynemesh PS, Prolift and Prosima Devices is attached hereto as Exhibit B.
2. A true copy of the Expert Report of Jaime L. Sepulveda-Toro, M.D. TVT and TVTO Devices is attached hereto as Exhibit C.
3. A true copy of the Curriculum Vitae of Jaime L. Sepulveda-Toro, M.D. is attached hereto as Exhibit D.
4. A true copy of the March 30, 2016, Deposition Transcript of Jaime L. Sepulveda-Toro, M.D. is attached hereto as Exhibit E.
5. A true copy of the April 8, 2016, Deposition Transcript of Jaime L. Sepulveda-Toro, M.D. is attached hereto as Exhibit F.

6. A true copy of the PowerPoint Presentation titled LCM Project Photographs Comparing Laser Cut Mesh vs Mechanical Cut Mesh, ETH.MESH.08334245 is attached hereto as Exhibit G.

Specifically, Dr. Sepulveda-Toro, an obstetrician-gynecologist, attempts to offer unqualified expert opinions regarding the causes of pelvic organ prolapse (POP) and stress urinary incontinence (SUI), treatment options for POP and SUI, and success and failure rates of POP and SUI treatments. As set forth more fully in Plaintiffs' Memorandum in Support of Its Motion, the Court should exclude the testimony of Defendant's expert witness Jaime L. Sepulveda-Toro, M.D.

Dated: April 21, 2016

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on April 21, 2016, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

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